

REMARKS

The claims have been amended to place them in a format more customary to US patent practice. Support for new claim 10 can be found, for example, at page 1, paragraph 0001. Support for new claim 11 can be found, for example, at page 1, paragraph 0002. Support for new claim 12 can be found, for example, paragraph 0023.

Support for new claim 13 can be found, for example, at paragraph 0023. Support for new claim 14 can be found, for example, at paragraph 0023. Support for new claim 15 can be found, for example, at page 1, paragraph 0001. Support for new claims 16 and 17 can be found, for example, at paragraph 0024. Support for new claim 18 can be found, for example, at paragraph 0026 and original claim 3. Support for new claims 19 and 20, can be found, for example, at paragraph 0029. No new matter has been added.

Restriction

Applicants hereby elect Group I, claims 1-5 and 9, drawn to a moulding. The requirement for restriction is respectfully traversed.

It is respectfully submitted that the subject matter of the claims does have unity of invention under PCT Rule 13. Non-elected Group II, claims 6-8, is drawn to a process of making a moulding. An international or a national stage application containing claims to different categories of invention will be considered to have unity of invention if the claims are drawn to a product and a process specifically adapted for the manufacture of said product. See 37 CFR § 1.475(b)(1).

See also MPEP 1850 III. §A , which states:

"The method for determining unity of invention under PCT Rule 13 shall be construed as permitting, in particular, the inclusion of any one of the following combinations of claims of different categories in the same international application:

(A) In addition to an independent claim for a given product, an independent claim for a process specially adapted for the manufacture of the said product, and an independent claim for a use of the said product."

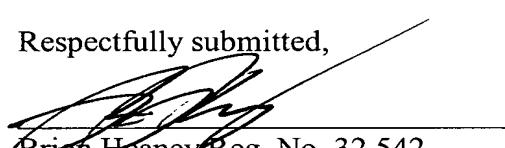
In the present invention, the process of Claim 6, is specially adapted for the manufacture of the product of Claim 1. Thus, withdrawal of the requirement for restriction is therefore respectfully requested.

Additionally, anticipation or obviousness over US 6,398,962 has been alleged but has not yet been established. The Office Action simply makes a conclusory statement, without justification. The allegation does not even set forth where any of the claimed features are disclosed or suggested in US 6,398,962. For example, the Office Action fails to indicate where US '962 discloses or suggests coating a porous inorganic monolithic moulding with at least one organic polymer.

Moreover, when it is determined that US 6,398,962 does not anticipate or render obvious, then the Examiner's basis for restriction will become moot. Thus, Applicants' will request rejoinder of the non-elected claims.

No fee is believed to be due with this response, however, the Commissioner is hereby authorized to charge any fees associated with this response or credit any overpayment to Deposit Account No. 13-3402.

Respectfully submitted,


Brion Heaney Reg. No. 32,542
Agent for Applicant(s)


Jennifer Branigan Reg. No. 40,921
Agent for Applicant(s)

MILLEN, WHITE, ZELANO
& BRANIGAN, P.C.
Arlington Courthouse Plaza 1, Suite 1400
2200 Clarendon Boulevard
Arlington, Virginia 22201
Telephone: (703) 243-6333
Facsimile: (703) 243-6410

Attorney Docket No.: **Merck-3009**

Date: 16 February 2007

K:\Merck\3000 - 3999\3009\Response to Restriction Requirement.doc